

REMARKS

Claims 30-62 have been canceled in compliance with the restriction requirements, claims 1-6, 10-12, 15-20, and 26-27 are amended, and claims 63 and 64 added to the application. Further, the title, specification, and Figures 8B and 10A have been amended. The Applicant has carefully and thoughtfully considered the Office Action and the comments therein. For the reasons given below, it is submitted that this application is in condition for allowance.

Interview

The Applicant kindly thanks the Examiner for the personal interview on September 8, 2004. The substance of the interview is recorded in the Examiner Interview Summary Record provided to Applicants and their Representative at the interview. As indicated by the Examiner at the bottom of the Examiner Interview Summary Record, the Applicant is not required to provide a separate record of the substance of the interview. See M.P.E.P. § 713.04.

Objection to the Drawings

In the Action on page 2 in section 2, the drawings were objected to under 37 C.F.R. § 1.83(a) as not showing every feature of the invention specified in claims. Specifically the objection noted that “the klaxon, the horn, the light, the plurality of lights, the LCD panel, the simulated human voice, the human voice, the light emitting diode, the plurality of light emitting diodes” of claim 8 and “the one-way charging diode...comprises an at least one SCR” claimed in claims 15 and 16 and “the signal processor, the lookup tables, the memory device, the security protocol/encryption element, the VI sensor, etc.” claimed in claim 20, must be shown in the drawings or cancelled from the claims.

The features claimed in claim 8, 15, 16, and 20, are shown in the amended drawings 8B and 10A. In particular, as per claim 20 and the LCD Panel of claim 8, the features of these claims are shown in amended Figure 8B, items 700 and 775 as amended. Further, as per the remaining elements of claim 8, the features of this claim are shown in amended Figure 10A, item 775 as amended. It is also noted that elements 710 and 740 are shown and described as “sensors can for instance be, but are not limited to, VI sensors” (Applicants’ specification, paragraph 139). With respect to claims 15 and 16 citing the SCR, the claim has been amended to correct the error in the claim and the element is now correctly claimed as the one-way charging circuit comprising an...SCR. Hence, because the features of claims 8, 15, 16 and 20 are shown in the drawings, Applicant respectfully requests that the objections to the drawings be rescinded.

Objections to the Specification

In the Action on page 3 in section 3, the Action objected to the title as not being descriptive. Applicants have amended the title accordingly. Hence, Applicants request that the objection to the title be rescinded.

In the Action on page 3 in section 4, the Examiner noted errors in the specification and requested that the Applicant correct any remaining errors in the specification. The Applicant thanks the Examiner for the review of the specification. The Applicant has amended the specification to correct the errors noted by the Examiner and has reviewed the specification for any remaining errors and amended accordingly. Applicants do note, however, that cited paragraph 133, stating in part “The embodiment utilizes a configuration similar to that of Figure 8B, save for the use of the SCR 4000” indicates Figure 8B in the as filed electronic copy.

In the Action on page 3 in section 5, the Examiner objected to the specification “as failing to provide proper antecedent basis for the claimed subject matter”. As it was unclear as to what the statutory grounds for the objections were, Applicants’ representative contacted the Examiner. In a telephone conference on October 12, 2004, the Examiner indicated that the objection to the claims language is based on 35 U.S.C. § 112, second paragraph as she felt the limitations were indefinite. Applicants therefore respond on the basis that the objections are directed to 35 U.S.C. § 112, second paragraph. It is respectfully submitted that the cited limitations of the claims, as amended, are not indefinite.

As per the claims containing the limitation “the one-way charging diode...further comprising an at least one SCR”, these claims are objected to because the Examiner was unclear as to the recitation of a charging diode that comprises an at least one SCR. However, as mentioned above, these claims have been changed to indicate that the charging circuit comprises and at least one SCR. As per the limitation “coupled to a...point...beyond” the one way charging circuit, Applicants note that the claim reciting the limitation, claim 47, has been cancelled in accord with the restriction requirement of paper 20040712. Therefore the objection is rendered moot. As per the limitation “short periods”, Applicants have amended the claim to remove the term “short”. The claim as amended is definite. Thus, Applicants respectfully request that the objections to the specification be rescinded and that the claims be allowed.

In the Action, on page 4, in section 6, claims 14 and 15 are objected to as being substantial duplicates of one another. Applicants traverse this objection. Claim 14 specifies that the one-way charging circuit further comprises at least one silicon rectifier. Claim 15 specifies that the silicon rectifier is an at least one Silicon Controlled Rectifier (SCR). As stated in Applicants specification, at paragraph 133, the SCR differs from the silicon rectifier in that the

SCR is provided with a control input that extends to a controller (see Applicants' Figure 8C, coupling elements 4000 and 700). This controller allows for the selective disengagement of the SCR. (see Applicants' Specification, paragraph 133, lines 8-11). This allows the branch of the circuit that includes the one-way charging circuit to be shut down and effectively prevent overcharging of the standby battery. As such, there is a significant difference between the claims indicating a silicon rectifier and a silicone controlled rectifier and Applicants have properly indicated as much in an attempt to differentiate the embodiments disclosed. Therefore, Applicants respectfully submit that the claims are distinct and request that the objection be rescinded.

In the Action on page 4 in Section 7, claim 20 is objected to because of an informality. Applicants have amended claim 20 to remove the informality and Applicants have reviewed the claims for any remaining informalities and taken appropriate actions to correct these informalities. It is therefore requested that this objection be rescinded.

35 U.S.C. §102 Rejection

In the Action on page 4 in section 9, claims 1-8, 17, 20, and 27 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,545,445 to McDermott (hereinafter McDermott). Applicants respectfully traverse this rejection. Applicants note that claim 1 stands amended, however, the amendments incorporate elements of claim 2 which was rejected on the same grounds in the Action.

In addressing claim 1, the Office Action asserts that McDermott teaches a multiple battery system 100 with a main battery 102, an at least one auxiliary battery 103, a main electrical circuit 105 with a coupling of a common positive terminal with an at least one

switching device 122, the at least one switching device having at least two operating positions wherein the a first operating position provides electrical charge to both the main batter 102 and the at least one auxiliary battery 104 and a controller 108 is coupled to the main electrical circuit and switches the switching device based on input from sensors 116 and 118. In addressing the limitations of claim 2, no further citations or grounds for rejection are provided.

As to amended claim 1, McDermott does not teach several limitations of amended claim 1. The action fails to address the positively recited limitation of a “one-way charging circuit” in amended claim 1, formerly positively recited in claim 2. Moreover, McDermott does not provide for several of the specific aspects of either of the positively claimed operating positions nor does it provide for the positively recited recharging aspects of the invention as claimed in amended claim 1.

As discussed in the interview, the instant invention differs from the McDermott reference, and the amended claim 1 positively recites these differences, in that a one-way charging circuit is provided that allows for the operation of the electrical system by the main battery with simultaneous charging of the at least one standby battery WITHOUT allowing for the engagement of the at least one standby battery or the possibility of depletion through recharging of the main battery from the at least one standby battery. In contrast, the system of McDermott simply provides a switched parallel battery system that allows for selective engagement of the batteries and specifically allows for the recharging as between the batteries.

The McDermott reference as a switched battery system is similar to the Hwa and Waugh patents and other patents cited in Applicants’ specification that provide, in general, parallel switched battery systems, save that the McDermott parallel switching system allows for switching a starter battery 102 and an accessory or auxiliary battery 104, from the parallel circuit

106 (see McDermott Figs. 1 and 2, and McDermott specification col. 5, lines 1-10; col. 5, lines 30-35) as opposed to switching between the two batteries as shown in, for instance, U.S. Patent 6,121,750 to Hwa.

Similar to the switched battery system of Hwa, McDermott provides a secondary battery for intermittent engagement to fulfill requirements for short duration, high current output situations, i.e. starting (see McDermott col. 2, lines 10-20). However, as stated in Applicants' specification in regards to Hwa, there is no indication or suggestion of a diode or similar device provided in the circuitry of these patents for charging the secondary battery and, thus, the secondary battery is not necessarily kept in a charged state, because the secondary battery is only providing additional cranking power. Systems such as these, which switch into parallel, bring both batteries into a position to operate the system and drain charge from one another. (see Applicants' specification, para. 13)

This does not protect the charge state of the secondary battery. This can lead to a situation where the discharged battery drains the secondary battery down to a point of insufficient charge for starting. In fact, the McDermott reference specifically teaches away from the positively recited limitations of a one-way charging circuit that prevents discharge, stating that recharging can be provided BETWEEN the batteries (see McDermott specification col. 5, lines 1-10; 49-64) – which cannot be done if the batteries are separated by a one-way charging circuit as positively recited.

Even in describing the operation of the embodiment of McDermott shown in Figure 2, which adds a second switch 244 and a third switch 242, McDermott shows that when the system is recharging the batteries must be in parallel and be coupled to the electrical system in an operating position to be recharged. That is all the batteries receive charge and are discharged.

This also permits the McDermott system to draw down energy from the charged batteries in deference to the discharged battery when the electrical system is not operating – effectively bleeding charge from one battery to another. Thus, a one-way charging circuit or path can never be established to recharge the accessory battery without depletion of the main battery at the same time that one of the other batteries is operating. Instead the batteries are allowed to recharge one another as part of a parallel circuit by bleeding electrical charge from one battery to another or switching out a battery.

This ability is specifically cited as an advantage of the McDermott system (McDermot, col. 2, lines 47-52). However it can potentially allow one battery, for instance the accessory battery, even after discharge, to bleed charge from the starter battery. In a starting scenario this can result in an insufficient amount of charge to start the vehicle. Similar to the prior art of Hwa, Kump and others, in the embodiment described in McDermott in a starting scenario with a depleted battery, the starter battery could be brought online with the expended accessory battery which adds a significant load to the system that could potentially result in an inability to start the electrical system due to the bleeding effect of one battery to the other.

As discussed during the interview with the Examiner, the instant invention is distinct from McDermott in that it provides for the ability to maintain a pristine at least one standby battery for use in emergency situations. The battery is maintained at the ready, fully charged, and is capable of operating the vehicle as a substitute for an expired main battery. In contrast to the McDermott patent and the other switched battery patents cited in the application, the instant invention isolates each battery in each operational position claimed, that is only the main or the at least one standby battery operates the system depending on the operating position. Additionally, when operating from the main battery in the first switch position of the at least two

switch positions, as positively claimed, the system is providing for the simultaneous recharging or maintenance charging of the at least one standby battery **without** discharging the at least one standby battery or bleeding the at least one standby battery to charge the main battery.

Effectively these features allow for isolation of the at least one standby battery from the possible drain of the spent or defective main battery and simultaneously provides for recharging or maintenance charging of the at least one standby battery so long as the generator in the electrical system is functioning properly, thus guaranteeing the necessary charge state to power up the electrical system if the main battery fails. This is accomplished by the provision of the **one-way charging circuit**, shown in the exemplary embodiments as, but certainly not limited to, a silicone rectifier or a silicon controlled rectifier. This is in contrast to the system of McDermott and the other switched battery systems which do not provide nor do they suggest these positively recited features of the first operating position of the instant invention or the one-way charging circuit.

Further, in the second switch position, the at least one standby battery is brought online without the main. As positively claimed and shown in the exemplary embodiments, the main battery is switched out of operation and the one-way charging circuit prevents electricity from flowing to and effectively isolates the main battery. The fully engage at least one standby battery is in operation of the electrical system, as the current path from the second switch pole is beyond the one-way charging circuit and coupling in this fashion does not permit an electrical flow from the at least one standby battery to the main battery – as it is against the one-way direction of the circuit. If the electrical system is operating properly and recharging properly, the system can be switched back from the at least one standby battery without the possibility of bleeding to the discharged battery but still receiving charge from the electrical system.

Additionally, with the instant invention as compared with previous designs, in the event that the generator in the electrical system has failed or the main battery is shorted, the fully charged at least one standby battery, in part because it does not contend with the additional load of the dead main battery in a parallel circuit, the standby battery can operate the electrical system and can do so for an extended period of time allowing needed maintenance to be sought in the case of a generator failure or replacement of the battery in the case of a main battery defect. Again, the McDermott reference specifically teaches away from this type of operation and does not provide this added measure of safety. Though McDermott does permit the isolation of one battery or the other, it cannot provide simultaneous operation from one battery and recharging of another **without drawing** from both batteries.

In summary, the provision of these operational modes is unique, and in stark contrast to the McDermott reference and references like McDermott, in the instant invention the resulting at least one standby battery is fully functional and is not bled or depleted by the discharged main battery. The at least one standby battery is never allowed to “see” the discharged main battery. The instant invention provides for engagement of either battery for any purpose, in this instance the main or the at least one standby battery are sufficient to run the electrical system while allowing for selective recharging during operation of the system. The invention accomplishes this specifically because it DOES NOT provide for the ability to bleed charge from one battery to the other, something McDermott specifically teaches. The invention allows for simultaneous recharge or maintenance charging of the at least one standby battery without discharge or diminishment by the at main battery or the electrical system. Thus, McDermott cannot anticipate or render obvious the instant invention as it does not provide for these several limitations that are positively recited in the claims.

In the Action on page 6 in section 11, claims 9-12, 18 and 29 are rejected under 35 U.S.C. § 103(a) as being unpatentable over McDermott. Applicants respectfully traverse this rejection. As claims 9-12, 18 and 29 are dependent from allowable claim 1, as discussed herein, claims 9-12, 18 and 29 are allowable as being dependent from an allowable claim. Therefore, Applicants respectfully request that the rejections of claims 9-23, 18, and 29 be rescinded, and that these claims be allowed.

In the Action on page 8 in section 12, claim 13 is rejected under 35 U.S.C. § 103(a) as being unpatentable over McDermott in view of U.S. Patent 5487956 to Bromley et al. (hereinafter Bromley). Applicants respectfully traverse this rejection.

The Action asserts that McDermott teaches the limitations of claim 13, as discussed in relation to claim 1, save for a one-way charging diode as positively recited. The Action further asserts that Bromley discloses a multiple battery system where the auxiliary/backup battery 105 charging current is provided through a steering and polarity protection diode 119.

Firstly, Applicants respectfully submit that claim 13 is allowable over the combination of references as argued above, as this claim is dependent from allowable claim 1 and Bromley fails to overcome the cited deficiencies of McDermott.

Further, with respect to the teachings of McDermott and Bromley these references are from non- analogous art. McDermott teaches a dual battery system having a vehicle accessory battery and a vehicle starter battery, both significant, full sized batteries used in operating a vehicle. In contrast, Bromley teaches a micro electronics backup battery system to maintain the operation of a single accessory, a security system, should the main car battery fail. As discussed in Bromley at column 1, lines 12-21 and column 3, lines 36-48, the battery backup is used

exclusively to continue operating the vehicle security system. It does not isolate a fully functional, standby battery for operation of the vehicle.

In comparing the vehicle multiple battery system of McDermott and the microelectronics battery backup system of Bromley, the vehicle multiple battery art is quite different from the microelectronics battery backup art, and one of ordinary skill would *not* look to the microelectronics battery art for a device to replace a switched battery system for full sized batteries such as that shown in the vehicle battery system of McDermott. One of ordinary skill in the art would not look to Bromley to provide the positively recited one-way charging circuit because the amount of energy involved in the batteries and in the recharging are significantly different, as discussed in Applicants' specification at paragraph 9 and 50. In the case of Bromley, the system is configured for a recharging a backup battery that is not drawn upon to operate the vehicle, but it is isolated until it is switched into parallel with the main battery (see Bromley Figure 1). Hence, one of ordinary skill in the art would not consider replacing the switches of McDermott in a multiple battery system with the steering and polarity diode that is a part of a backup battery system for a microelectronics security system, such as that shown in Bromley. Thus, the teachings of McDermott and Bromley are from non- analogous art.

Moreover, the Action provides that one of ordinary skill in the art would be prompted to include the steering and polarity diode of Bromley to provide steering and overcurrent protection in modifying McDermott. Firstly, the diode disclosed in Bromley would be insufficient to handle the current passed to a standby battery having the equivalent charge capacity as the main battery, as the backup battery of Bromley is not a full size vehicle battery, but is intended to only operate the microelectronics of a security system.

Secondly, the teachings of McDermott do not hint at any issue with overcurrent protection nor would one be concerned with overcurrent protection because circuit described in McDermott, having a separate starter and accessory battery controlled by switches and a controller, would not necessitate overcurrent protection for any recharging as it is occurring simultaneously with the drawing of energy from the battery. That is the batteries are switched in and out of the system and would not require a limitation on the power flowing to them, e.g. overcurrent protection, as the electronic controller would simply switch them off or out of the circuit and there is no steering needed or suggested by the circuit of McDermott. There is no simultaneous recharging without draining going on in McDermott, the type of recharging that would necessitate steering and overcharge protection.

This type of recharging and the use of one-way charging diodes are typically found in references those of U.S. Patent No. 5,002,840 to Klenenow et al. and U.S. Patent No. 5,162,164 to Dougherty et. al. (see Applicants specification, paragraph 9), which use one-way charging diodes to protect and provide charge to a backup battery while operating from a main battery. However, in ALL these designs, including the non-analogous system of Bromley, the backup battery is engaged in a parallel circuit which obviates the one-way charging diode and puts **both** batteries in parallel, leading to the problems with previous systems as discussed above in relation to claim 1.

Moreover, providing this combination is in direct contradiction to the teachings of McDermott, as asserted above in the arguments distinguishing claim 1. McDermott specifically teaches that the batteries in its system are able to bleed charge from one another (see McDermott, col. 5, lines 49-64), whereas the system of Bromely is **specifically directed to preventing the**

bleed of the backup battery by the main battery so as to maintain the operation of the security system. (Bromley, col. 1, lines 13-21).

In view of these diametrically opposite teachings, one could of ordinary skill in the art could not be motivated to use the asserted elements of Bromley in a manner that contravenes the teachings of McDermott. Instead, in contravention of the law, the motivation for applying the one-way charging diode in a circuit for simultaneously charging a backup battery that is separately engaged is from Applicants' disclosure, and not from the prior art. "Both the suggestion [to combine] and **the reasonable expectation of success** must be found in the prior art, not in the Applicant's disclosure." In re Vaeck, 20 U.S.P.Q.2d 1438, 1442 (Fed. Cir. 1991) (citing In re Dow Chemical Co., 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988) (citations omitted, emphasis added)).

Here, the motivation to combine the references came impermissibly from the Applicants' disclosure, and not from the prior art. The prior art of McDermott and Bromely provide no motivation for incorporating the one-way steering diode in the fashion suggested in the Action, and further provides no reasonable expectation that the incorporation of such a steering diode would be successful, especially in view of the teaching away from such a device in the McDermott reference. Hence, the motivation for combining these two references is improper.

Thus, for these separate reasons, the Action fails to establish a prima facie case of obviousness, and claim 13 is nonobvious and allowable over the combination of McDermott in view of Bromely. Therefore, because claim 13 is nonobvious and allowable over the combination of references, Applicants respectfully request that the rejection of claim 13 be rescinded, and that this claim be allowed.

In the Action on page 9 in section 13, claims 14, 16 and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over McDermott in view of Bromley further in view of Dougherty, et al. Applicants respectfully traverse this rejection.

Firstly, Applicants respectfully submit that claims 13, 14, 15, 16, and 19 are allowable over the combination of references as argued above, as this claim is dependent from claims 1 and claim 13 and Dougherty fails to overcome the cited deficiencies of McDermott and Bromely. The Action assumes that the unidirectional current path through the one-way charging diode needs an overcurrent protection device, such as an SCR/thyristor, to selectively limit current through the diode. Applicants note that no such limitation has been positively claimed. The Action further asserts that McDermott in view of Bromley teaches the limitations of claims 13 and claim 1, save that McDermott in view of Bromley does not teach a one-way charging circuit having an SCR/Thyristor.

Initially Applicants do note that claim 14, 15, 16 and 19, as amended, do specify that the one-way charging circuit is an at least one silicon rectifier and further an at least one silicon controlled rectifier.

As to claims 14, 16, and 19, the Thyristor taught in Dougherty does not prevent discharge of the secondary battery through the main battery if the secondary battery is engaged, i.e. the main is dumped into parallel with the secondary battery. As mentioned in Applicants' specification, Dougherty and devices like Dougherty do not provide the positively recited claims limitations. Dougherty does not prevent depletion of the secondary battery from the main battery when the secondary battery is engaged, as the system puts the batteries together in parallel (see Applicants' specification, para 9). Additionally, as asserted above with respect to Bromely, the teachings of McDermott specifically teach against adding this limitation to the ability to bleed

charge from one battery to the other as in the system of McDermott. The only suggestion to combine the positively recited elements of these claims comes from Applicants own specification and the motivation asserted, namely to provide overcurrent protection in a one-way circuit/SCR, is impermissibly taken from Applicants own disclosure.

Moreover, the inherent weaknesses of the systems like Dougherty due to the possibility of failing in a start up scenario can be directly shown by their failure to be adopted in the battery industry. The Dougherty systems and patents like them have been available to the industry for over 10 years. These patents and the related devices have been available to, and in fact are property of, some of the largest battery and electronics control system manufacturers in the world. Yet they have not been commercially successful because they cannot guarantee that they will function in emergency situations. In fact, these systems in most instances specifically teach away from the combination of components claimed. For the most part the previous systems have attempted to provide a quasi-jumpstart system, wherein a boost of charge is provided by the standby, or an additional battery, both of which switch into a parallel circuit and become electrically coupled and, therefore, potentially incapable of providing sufficient charge in an emergency.

Not one of these systems suggests the innovative developments of the instant invention. The instant invention, as positively recited in the claims, overcomes these deficiencies by providing one or more standby batteries of sufficient capacity to operate the vehicle instead of the main battery. That is the system is designed to function as a true standby system, keeping a fully charged standby battery available for any eventuality. There is no way to bleed down the standby battery with the main battery.

Thus, for these separate and additional reasons, the Action fails to establish a prima facie case of obviousness, and claims 14, 15, 16, and 19 are nonobvious and allowable over the combination of McDermott and Bromely further in view of Dougherty, et al. Therefore, because claims 14, 15, 16, and 19 are nonobvious and allowable over the combination of references, Applicants respectfully request that the rejection of claims 14, 15, 16 and 19 be rescinded, and that this claim be allowed.

In the Action on page 10 in section 14, claims 21-26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over McDermott in view of U.S. Patent 5694335 to Hollenburg (hereinafter Hollenburg). Applicants respectfully traverse this rejection.

The action asserts that McDermott teaches a multiple battery system, as discussed above in relation to claims 1-3, and that “to modify McDermott’s apparatus and include a wireless network-controlled controller system, as disclosed by Hollenberg, in order to be able to remotely disconnect the power supply from certain controlled vehicle system circuits.”

Firstly, Applicants respectfully submit that claims 21-26 are allowable over the combination of references as argued above, as these claims are dependent from claim 1 and Hollenburg fails to overcome the deficiencies of McDermott.

Further, as to claims 21-26, the Action fails to state a prima facie case of obviousness as to the rejection of claims 21-26 based on McDermott in view of Hollenburg. Applicants’ firstly note that Hollenburg fails to teach and the rejection fails to address the positive limitations of claims 25-27, in as much as that the asserted controller of Hollenburg is not a network interfaceable controller that couples to and communicates with a Network Operations Center (NOC). A LAN is not the equivalent of a NOC in that a NOC, as described in Applicants specification at para. 143, monitors and responds to the output from the network interfaceable

controller and the asserted LAN is merely a network without the inherent ability to proactively interface with the controller. The assertion that the NOC described and positively claimed is nothing more than an “obvious modification of the LAN disclosed in Hollenburg” dismisses the limitation, which specifically indicates that the NOC is in communication via a network, such as a LAN or cellular network. The system of Hollenburg does not teach a NOC, either expressly or inherently.

Additionally, the wireless communications system shown is for use with a security system. It does not disclose a controller coupling to and communicating with a switching device to detect the position of the switching device and selectively engage the switching device based on input from any one of the several types of sensors to selectively couple through a first or second of an at least two operating positions in a multiple battery system as positively recited in claim 26.

In addition to not teaching these positively recited claims limitations, one of ordinary skill in the art would not look to the security system of Hollenburg to modify a multiple battery system as taught in McDermott, as these are non-analogous fields of art. The microcontroller of McDermott and of all multiple battery systems manages the multiple battery systems to provide power to a vehicle. The security system of Hollenburg is directed to specifically shut down the power of an ignition in a vehicle. Simply put, McDermott and the instant invention try to give power to a vehicle while Hollenburg is directed to denying power to a vehicle. The claims specifically recite that the controller selectively engages the switching device for coupling the common positive terminal of a battery in one of at least two operating positions. The wireless controller of Hollenburg does not teach switching as between two circuits, much less switching

between two operational positions for a switch that controls the selective engagement of a multiple battery system.

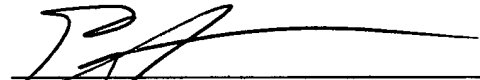
As the originally filed case had sixty two claims pending, no fee is believed due with this response for the additional claims. However, applicants do note the simultaneous filing of a supplemental information disclosure statement containing fifty-two (52) patent references and six (6) non-patent publications and a \$180.00 filing fee.

THEREFORE, because all objections and rejections have been overcome, it is submitted that claims 1-29, 63 and 64 are allowable, and such allowance is requested. If a telephone interview would further such allowance, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

DATE

October 14, 2004



Eric J. Weierstall, Esq.
Registration No. 46,331
Tangent Law Group
1201 Pennsylvania Ave., NW
Suite 300
Washington, DC 20004
Telephone: (202) 465-7180
Facsimile: (202) 661-4699

EJW
RP-002 Amendment

In the Drawings

The attached replacement drawings include changes to Figs. 8B and 10A. Applicants have hereby amended figure 8B to show a controller 700 having a signal processor, lookup tables, memory devices, and a security protocol/encryption element. Additionally, the indicator element 775 includes an LCD panel.

Figure 10A has also been amended to include an indicator element 775 with a plurality of indicator lights; in this case these can represent the claimed light emitting diodes. Further, lines indicating an audible indicator issuing from indicator element 775 have been included and can represent the presence of a klaxon, voice, or similar audible alert. Elements 710 and 740 are shown and described (Applicants' specification, paragraph 139) as "sensors [that] can for instance be, but are not limited to, VI sensors".

This set of drawings replaces all prior versions, and listings, of drawings in the application: